

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LARRY WEST,	:	
	:	
Plaintiff,	:	CIVIL NO. 1:10-CV-2621
	:	
v.	:	Hon. John E. Jones III
	:	
JEFFREY A. BEARD, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**MEMORANDUM**

January 18, 2011

**THE BACKGROUND OF THIS MEMORANDUM IS AS FOLLOWS:**

On December 23, 2010, Plaintiff Larry West (“Plaintiff” or “West”), an inmate presently confined at the State Correctional Institution Coal Township (“SCI Coal Township”) in Coal Township, Pennsylvania, initiated the above action *pro se* by filing a Complaint raising claims under 42 U.S.C. § 1983. (Doc. 1.)

On December 27, 2010, Plaintiff initiated a separate civil rights action through counsel. (*See West v. Varano*, Civil No. 1:10-CV-2637.) By Order dated January 10, 2011, we granted Plaintiff’s request to proceed *in forma pauperis* in that action and directed service of the Complaint on Defendants. (*See id.*, Doc. 5.)

On January 14, 2011, a letter from Plaintiff was filed on both of the aforementioned dockets in which he states that he filed his *pro se* civil rights action in

error before he was aware that counsel had filed his other Complaint on his behalf. (Doc. 16.) We shall construe this letter as a Motion to Withdraw the Complaint, the Motion will be granted, and this case will be closed. All pending Motions will be denied as moot, and we also shall vacate the Administrative Order (Doc. 15) entered on January 11, 2011 directing the Warden of the prison where Plaintiff is confined to begin deducting funds from his inmate account to pay the filing fee. An appropriate Order will enter on today's date.